

DEVELOPMENT DATA:
 SITE AREA : 1.679 ACRES (73.140 sq. ft.)
 TAX ID: 127-03-517, 127-03-518, 127-03-509
 CURRENT ZONING: NS (NEIGHBORHOOD SERVICES)
 PROPOSED ZONING: MUDD-O (WITH 3 YEAR VESTED RIGHTS)
 EXISTING USE: COMMERCIAL
 PROPOSED USE: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL
 (SEE PERMITTED USES IN DEVELOPMENT STANDARDS NOTES)
 NUMBER OF RESIDENTIAL UNITS: SEE DEVELOPMENT STANDARDS NOTES
 AREA OF NON-RESIDENTIAL USE: SEE DEVELOPMENT STANDARDS NOTES
 MAXIMUM BUILDING HEIGHT: SEE DEVELOPMENT STANDARDS NOTES
 MIN. PARKING REQUIRED: SEE DEVELOPMENT STANDARDS NOTES
 MIN. OPEN SPACE REQUIRED: PER THE ORDINANCE

LEGEND

- EXISTING IRON PIPE
- IRON PIPE SET
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- TELEPHONE PEDESTAL
- TELEPHONE MANHOLE
- ELECTRIC BOX
- LIGHT POLE
- POWER POLE
- BACKFLOW PREVENTOR
- GAS METER
- SIGN
- MONITORING WELL
- CAMERA WELL
- TRAFFIC SIGNAL BOX
- BOLLARD
- OVERHEAD UTILITY LINE
- UNDERGROUND ELECTRIC
- UNDERGROUND COMMUNICATIONS LINE
- WATER LINE
- SANITARY SEWER LINE
- FENCE LINE
- GAS LINE (UNDERGROUND)
- BUILDING & PARKING ENVELOPE

TREE SURVEY LEGEND

- CEDAR
- OAK
- PINE
- CREPE MYRTLE
- BIRCH
- MAPLE

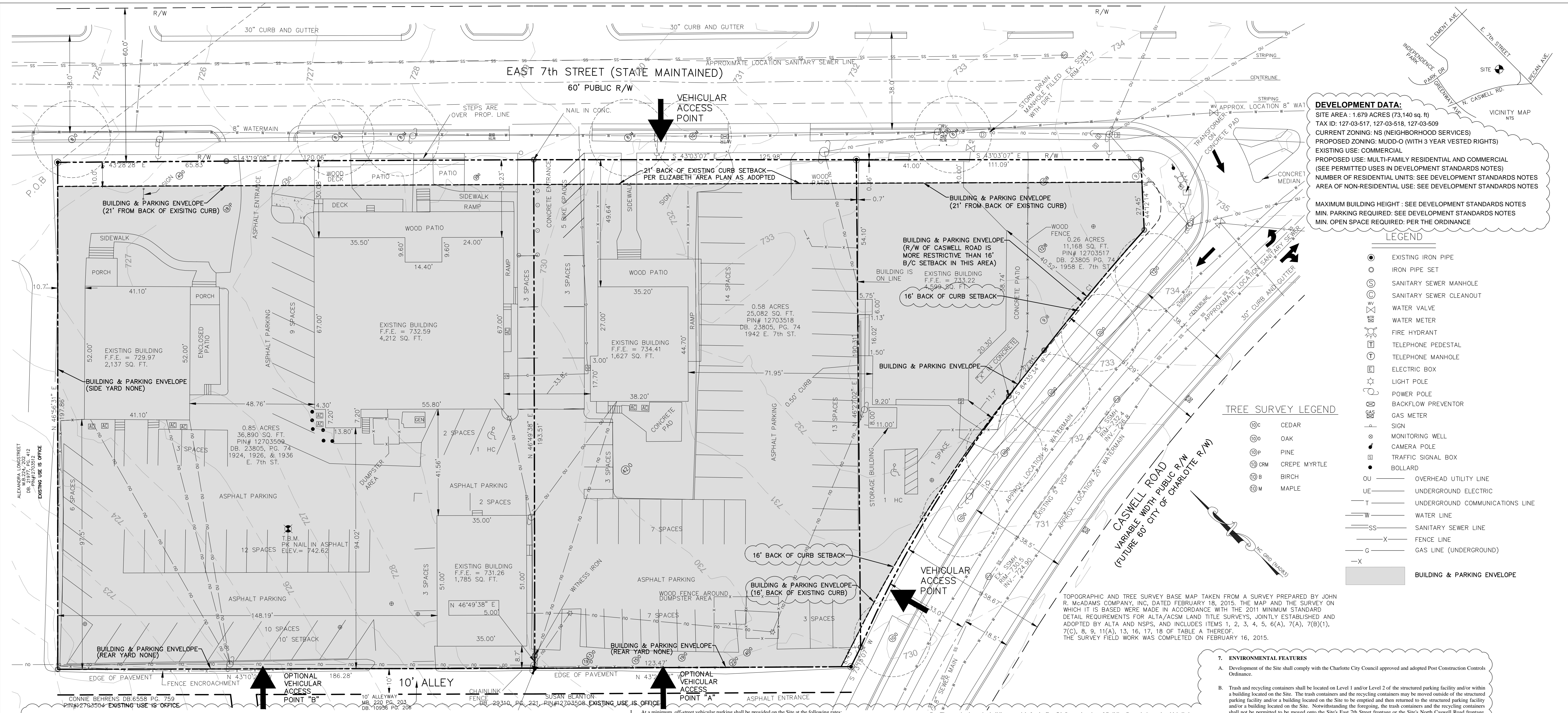
ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- B. Trash and recycling containers shall be located on Level 1 and/or Level 2 of the structured parking facility and/or within a building located on the Site. The trash containers and the recycling containers may be moved outside of the structured parking facility and/or a building located on the Site to be emptied and then returned to the structured parking facility and/or a building located on the Site. Notwithstanding the foregoing, the trash containers and the recycling containers shall not be permitted to be moved onto the Site's East 7th Street frontage or the Site's North Caswell Road frontage. The trash containers and the recycling containers may only be moved onto the Alley to be emptied.
- C. The trash containers and the recycling containers may only be emptied between the hours of 8 AM and 8 PM.
- D. The maximum height of any freestanding lighting fixture installed on the Site shall be 21 feet.
- E. Any lighting fixtures attached to a building to be constructed on the Site shall be decorative, capped and downwardly directed.
- F. Construction activities conducted on the Site on Saturdays may not commence prior to 9:00 AM and must cease by 7:00 PM. Notwithstanding the foregoing, these time restrictions shall not apply to interior construction activities that are conducted within an enclosed building.
- G. Construction activities conducted on the Site on Sundays may not commence prior to 7:00 AM and must cease by 7:00 PM. Notwithstanding the foregoing, these time restrictions shall not apply to interior construction activities that are conducted within an enclosed building.
- H. Construction activities may not be conducted on the Site on Sundays.

ELIZABETH COMMUNITY ASSOCIATION REVIEW OF PLANS

- A. At the time that Petitioner submits site plans and building elevations to the City of Charlotte to commence the urban review process, which process precedes the issuance of a building permit, Petitioner shall submit copies of such site plans and building elevations to the ECA Board for the purpose of notifying the ECA Board of the commencement of the urban review process for this development. A decision as to whether or not the site plans and building elevations comply with Rezoning Plan shall be made solely by the Planning Department and other applicable governmental departments.
- B. Prior to the commencement of any construction activities on the Site, Petitioner and its general contractor shall meet with the Board of the ECA and the adjacent property owners to review and discuss a construction and logistics plan for the Site.
- C. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- D. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

SCALE: 1" = 20'



GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets RZ-1 through RZ-7) associated with the Rezoning Petition filed by FCD-Development, LLC (the "Petitioner") to accommodate the development of two mixed use buildings that each contain multi-family residential dwelling units and commercial uses on that approximately 1.679 acre site located on the southwest side of East 7th Street between North Caswell Road and Clement Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site").
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
- C. The parcels of land that comprise the Site may be recombined at the option of the Petitioner or further subdivided in accordance with the Subdivision Ordinance.
- D. The buildings to be developed on the Site are designated as Building A and Building B on the Rezoning Plan.
- E. Pursuant to Section 1.110 of the Ordinance and Section 160A-365.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 3 years due to the size of the development, the level of investment, economic cycles and market conditions.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance, provided, however, that such alterations do not directly contradict provisions herein relating to exterior building materials and off-street parking requirements.

OPTIONAL PROVISIONS

- The following optional provisions shall apply to the development of the Site:
- A. Upper level balconies may encroach up to 5 feet into the setbacks from East 7th Street and North Caswell Road.
 - B. An outdoor plaza (the "Plaza") at the corner of East 7th Street and North Caswell Road that is generally depicted on the Rezoning Plan and is described below under Section 6.F. of these Development Standards may be established on the Site. Portions of the Plaza may encroach into the setbacks, and portions of the Plaza may encroach into the right of way subject to obtaining encroachment agreements.
 - C. Any desired encroachments into the right of way shall require the approval of the North Carolina Department of Transportation ("NCDOT") or the Charlotte Department of Transportation ("CDOT") as applicable.
 - D. A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's frontage on East 7th Street, provided, however, that portions of the sidewalk may be wider than 8 feet.
 - E. **PERMITTED USES/DEVELOPMENT LIMITATIONS**
 - F. The Site may only be devoted to the uses set out below.
 - (1) A total maximum of 100 multi-family dwelling units and any incidental and accessory uses relating thereto that are allowed in the MUDD zoning district. Customary incidental and accessory uses may include, without limitation, a leasing and management office and amenities such as a fitness center.
 - (2) A total maximum of 30,000 square feet of gross floor area devoted to the commercial uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
 - (3) Service uses such as barber and beauty shops;
 - (4) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.566 of the Ordinance.
 - (5) Professional business and general offices; and
 - (6) Retail sales.
 - (7) Eating, drinking and entertainment establishments (Type 1 and Type 2) may not play live, recorded or broadcast music outdoors between the hours of 11 PM and 6 AM.

- G. Exercise, health and/or fitness clubs, centers or facilities may not be located on the Site. Notwithstanding the foregoing, an accessory fitness center that serves the residents who live in the multi-family dwelling units located on the Site shall be permitted.
- H. An accessory fitness center described above in paragraph C shall not be located on the North Caswell Road elevation or the East 7th Street elevation of any building located on the Site.
- I. **TRANSPORTATION**
- J. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by CDOT and/or NCDOT.
- K. The site shall be served by a structured parking facility as depicted on the Rezoning Plan.
- L. The structured parking facility shall contain two levels of parking and for purposes of these development standards, these levels are designated as Level 1 and Level 2, with Level 1 being the lower level and Level 2 being the upper level of the structured parking facility.
- M. Subject to the terms of paragraph E below, vehicular ingress and egress into the structured parking facility shall be by way of the vehicular access point located along the Site's frontage on East 7th Street (the "East 7th Street Access Point") and the vehicular access point located along the Site's frontage on North Caswell Road (the "North Caswell Road Access Point").
- N. In the event that (i) an easement agreement between the owner of the Site and the owner of Tax Parcel No. 127-035-08 is executed and recorded in the Mecklenburg County Public Registry that allows for the improvement of the intersection of the "Alley" to accommodate two-way vehicular traffic from the western edge of that vehicular access point located on the Site's frontage on the Alley that is designated as Vehicular Access B on the Rezoning Plan to North Caswell Road and (ii) such improvement of the Alley is approved by the applicable governmental authorities prior to the issuance of the first building permit for the development contemplated under the Rezoning Plan (hereinafter collectively referred to as the "Alley Improvement Conditions"), then Petitioner shall establish Vehicular Access B and that vehicular access point located on the Site's frontage on the Alley that is designated as Vehicular Access A on the Rezoning Plan, and Petitioner shall eliminate the North Caswell Road Access Point. If the Alley Improvement Conditions do not occur prior to the issuance of the first building permit for the development contemplated under the Rezoning Plan, then Petitioner shall not be required to improve the Alley to accommodate two-way vehicular traffic as described above, to establish Vehicular Access A and Vehicular Access B and to eliminate the North Caswell Road Access Point.
- O. Level 2 of the structured parking facility shall be accessible from the East 7th Street Access Point and the North Caswell Road Access Point (unless the North Caswell Road Access Point is eliminated as described above). If the North Caswell Road Access Point is eliminated, Level 2 of the structured parking facility shall be accessible from the East 7th Street Access Point and from Vehicular Access A.
- P. Level 1 and Level 2 of the structured parking facility shall have vehicular connectivity through the implementation of one of the two methods described below.
 - (i) **Option 1**
 - (ii) If the Alley is not improved to accommodate two-way vehicular traffic as described above such that Vehicular Access A and Vehicular Access B are not established, then Level 1 of the structured parking facility and Level 2 of the structured parking facility shall have vehicular connectivity by way of an internal ramp within the structured parking facility.
 - (iii) **Option 2**
 - (iv) If the Alley is improved to accommodate two-way vehicular traffic as described above such that Vehicular Access A and Vehicular Access B are required to be established, then
 - (i) Level 2 of the structured parking facility shall be accessible from the East 7th Street Access Point and from Vehicular Access A; and
 - (ii) Level 1 of the structured parking facility shall be accessible from Vehicular Access B.
- Q. This method provides two-way vehicular circulation between Level 1 and Level 2 of the structured parking facility by way of the Alley, via Vehicular Access A and Vehicular Access B.
- R. In the event that Vehicular Access A and Vehicular Access B are established on the Alley as provided above, then Petitioner shall install a sign at each such access point that limits vehicular turning movements from the structured parking facility onto the Alley to left-turns only towards North Caswell Road. Notwithstanding the foregoing, the sign shall not prohibit vehicles exiting the structured parking facility by way of Vehicular Access A from turning right onto the Alley for purposes of entering Level 1 of the structured parking facility by way of Vehicular Access B.

1. At a minimum, off-street vehicular parking shall be provided on the Site at the following rates:
 - (1) A minimum of 1 parking space per bedroom for the multi-family dwelling units.
 - (2) A minimum of 1 parking space per 333 square feet of gross floor area devoted to office and professional office uses.
 - (3) A minimum of 1 parking space per 250 square feet of gross floor area devoted to retail uses.
 - (4) A minimum of 1 parking space per 100 square feet of gross floor area devoted to eating, drinking and entertainment establishments (Type 1 and Type 2).
 - (5) Each of the uses located on the Site shall meet the minimum parking requirements set above without utilizing the shared parking provisions of the Ordinance.
 - (6) The gross floor area of the structured parking facility shall not be considered for the purpose of calculating the required number of parking spaces on the Site.
 - (7) The gross floor area of internal hallways and corridors, the lobbies for the multi-family dwelling units and any amenity areas for the multi-family dwelling units shall not be considered for the purpose of calculating the required number of parking spaces on the Site.
 - (8) The alignment of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
 - (9) Prior to the issuance of the first certificate of occupancy for a new building to be constructed on the Site, Petitioner shall dedicate and convey as right of way to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to East 7th Street measuring 16 feet from the back of the existing curb on East 7th Street (which area shall include the 8 foot planting strip and 8 feet of sidewalk), to the extent that such right of way does not already exist.
 - (10) Prior to the issuance of the first certificate of occupancy for a new building to be constructed on the Site, Petitioner shall construct a bus stop waiting pad for a relocated bus stop on East 7th Street adjacent to the Site. The bus stop waiting pad shall be located entirely within the right of way, and the precise location of the bus stop waiting pad shall be determined during the permitting process. The bus stop waiting pad shall be constructed to CATS Development Standard 600.0.B. Petitioner's obligation to construct the bus stop waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it. CATS shall be responsible for the installation and maintenance of any bench or shelter.
 - (11) The East 7th Street Access Point may be restricted to right-in, right-out vehicular movements if required by CDOT and/or NCDOT. This restriction, if required by CDOT and/or NCDOT, shall be implemented through the installation of appropriate signage.
2. **ARCHITECTURAL STANDARDS**
- A. The maximum height in stories of Building A and Building B shall be 4 stories.
- B. The maximum height in feet of Building A shall be 58 feet as measured pursuant to the terms of the Ordinance.
- C. The maximum height in feet of Building B shall be 48 feet as measured pursuant to the terms of the Ordinance.
- D. Set out on Sheets RZ-4 through RZ-6 of the Rezoning Plan are conceptual, architectural elevations of each elevation of Building A that are intended to depict the general conceptual architectural style and character of each elevation of Building A. Accordingly, each elevation of Building A shall be designed and constructed so that each elevation is substantially similar in appearance to the relevant conceptual, architectural elevation with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations to the exterior of Building A which do not materially change the overall conceptual architectural style and character shall be permitted.
- E. Set out on Sheets RZ-4 through RZ-6 of the Rezoning Plan are conceptual, architectural elevations of each elevation of Building B that are intended to depict the general conceptual architectural style and character of each elevation of Building B. Accordingly, each elevation of Building B shall be designed and constructed so that each elevation is substantially similar in appearance to the relevant conceptual, architectural elevation with respect to architectural style and character. Notwithstanding the foregoing, changes and alterations to the exterior of Building B which do not materially change the overall conceptual architectural style and character shall be permitted.
- F. The permitted exterior building materials for the East 7th Street elevation of Building A are designated and labelled on the conceptual, architectural elevation of the East 7th Street elevation of Building A set out on Sheet RZ-7 of the Rezoning Plan. The permitted exterior building materials for the East 7th Street elevation of Building A shall also be the permitted exterior building materials for the other elevations of Building A. Where specific exterior building materials are designated and labelled on the conceptual, architectural elevation, those exterior building materials must be utilized.

Consultant
Address
Address
Address
Phone

No.	Description	Date
1	RZ Revision 1	2/19/16
2	RZ Revision 2	3/24/16
3	RZ Revision 3	4/18/16
4	RZ Revision 4	5/19/16
5	RZ Revision 6	6/23/16



Project Number	-
Date	02/19/16

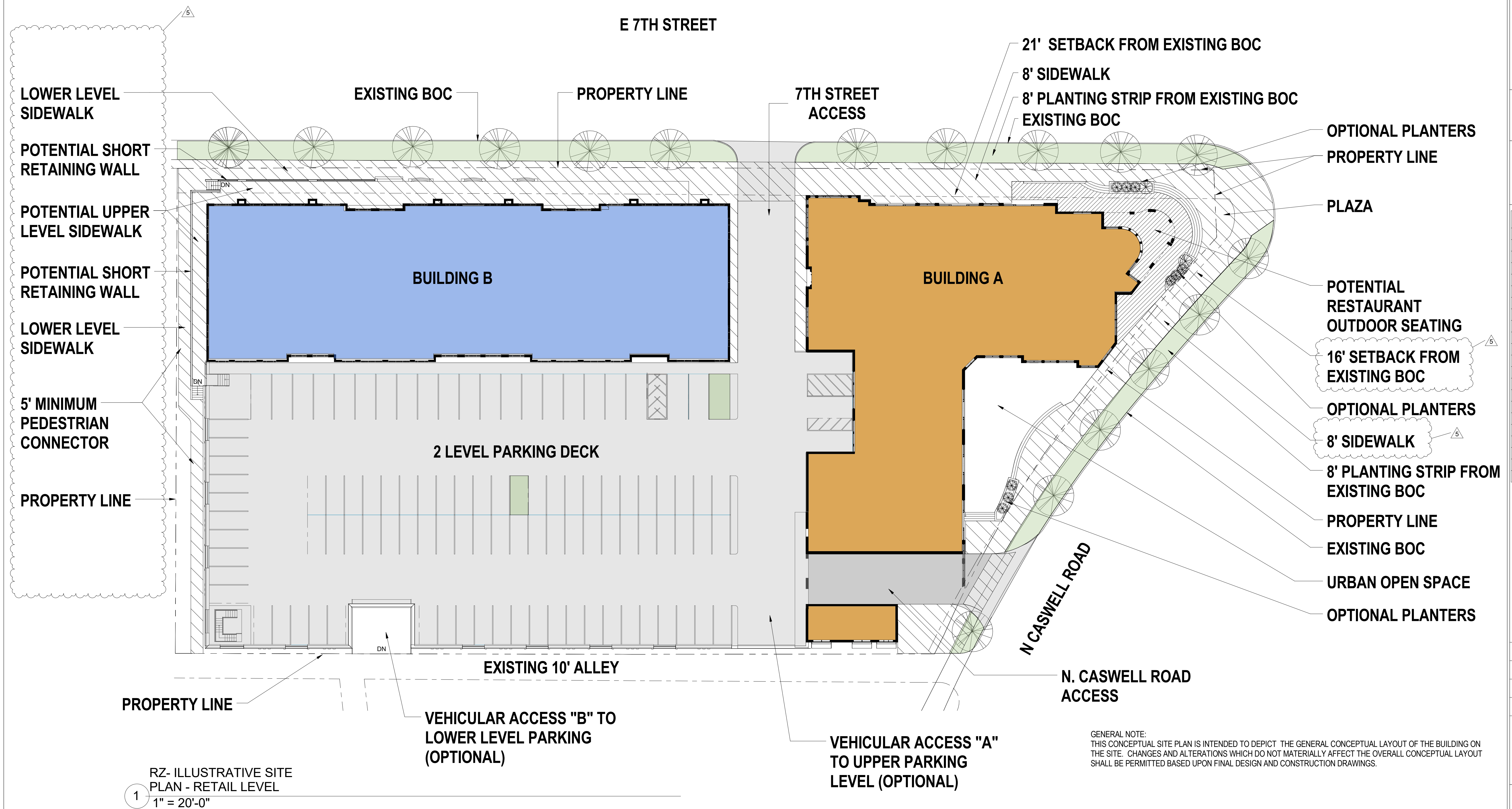
Illustrative Site Plan - Retail Level

SHEET

RZ 2

Scale

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Consultant
Address
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Phone

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Project Number	-
Date	02/19/16

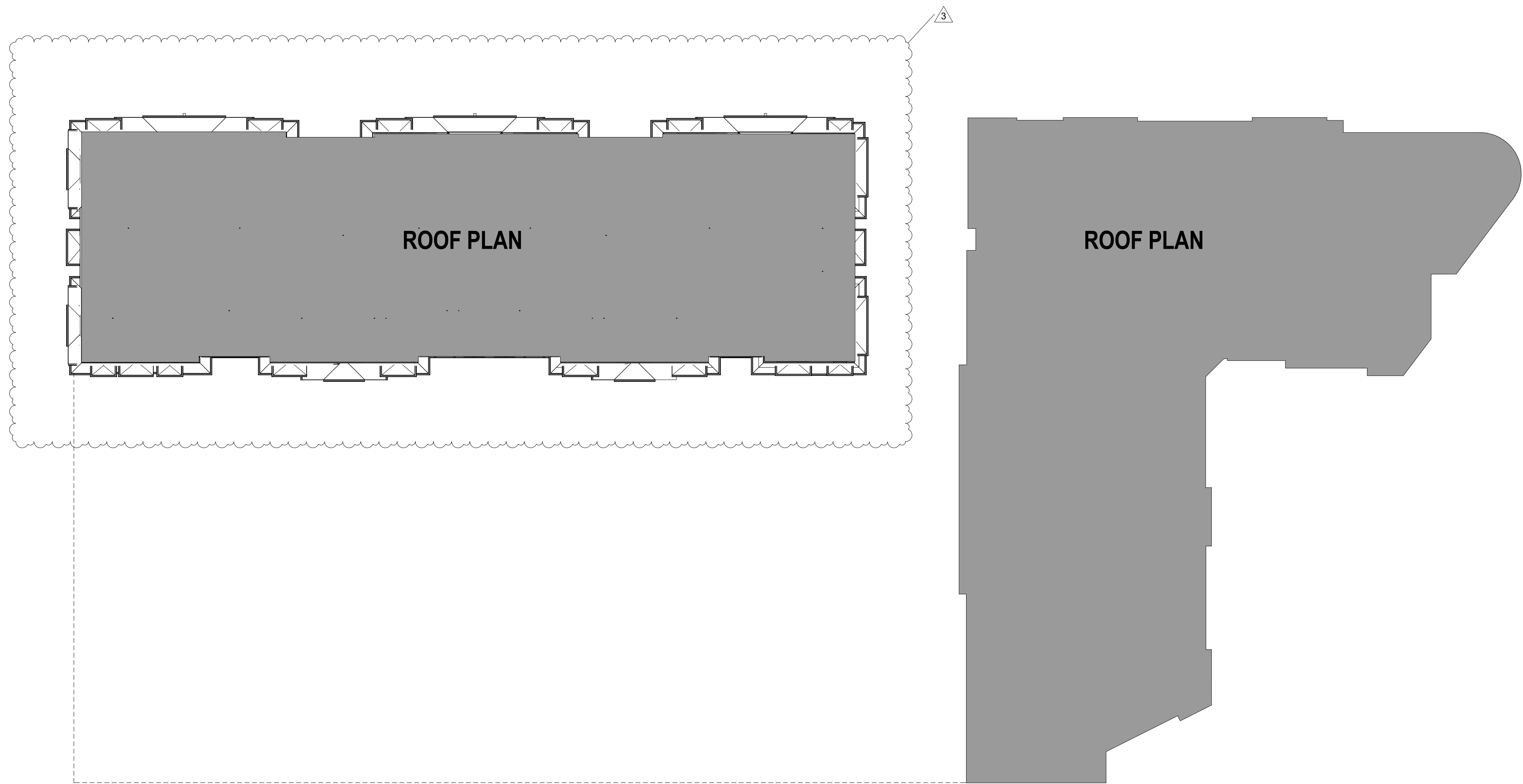
Roof Plan

SHEET 1

RZ 3

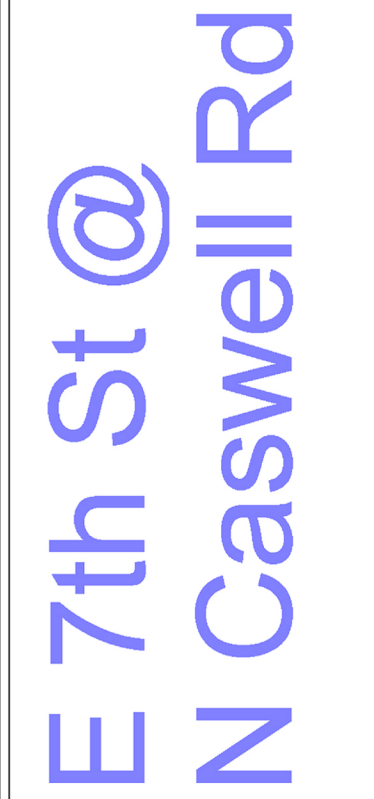
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GENERAL NOTES:
THIS CONCEPTUAL SITE PLAN IS INTENDED TO DEPICT THE GENERAL CONCEPTUAL LAYOUT OF THE BUILDING ON THE SITE. CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY AFFECT THE OVERALL CONCEPTUAL LAYOUT SHALL BE PERMITTED BASED UPON FINAL DESIGN AND CONSTRUCTION DRAWINGS.

1 RZ ROOF PLAN
1" = 20'-0"



No.	Description	Date
1	RZ Revision 1	2/19/16
2	RZ Revision 2	3/24/16
3	RZ Revision 4	5/19/16
4	RZ Revision 5	5/23/16
5	RZ Revision 6	6/23/16



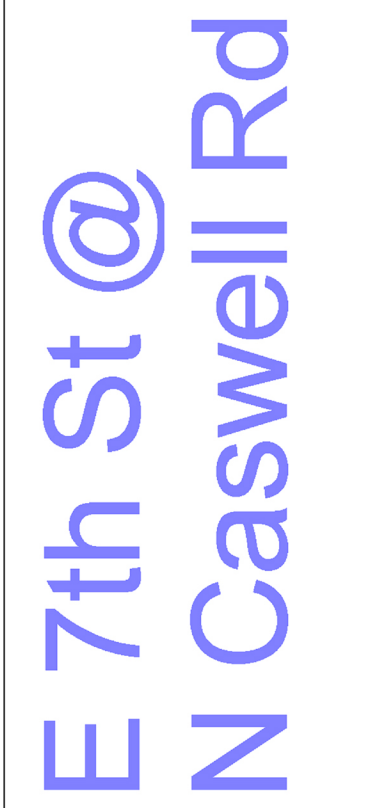
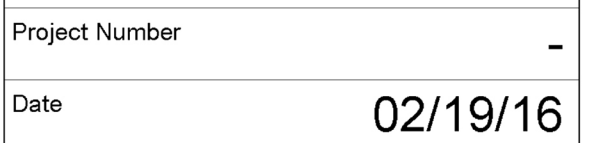
Date	02/19/16
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SHEET

RZ 4

Scale

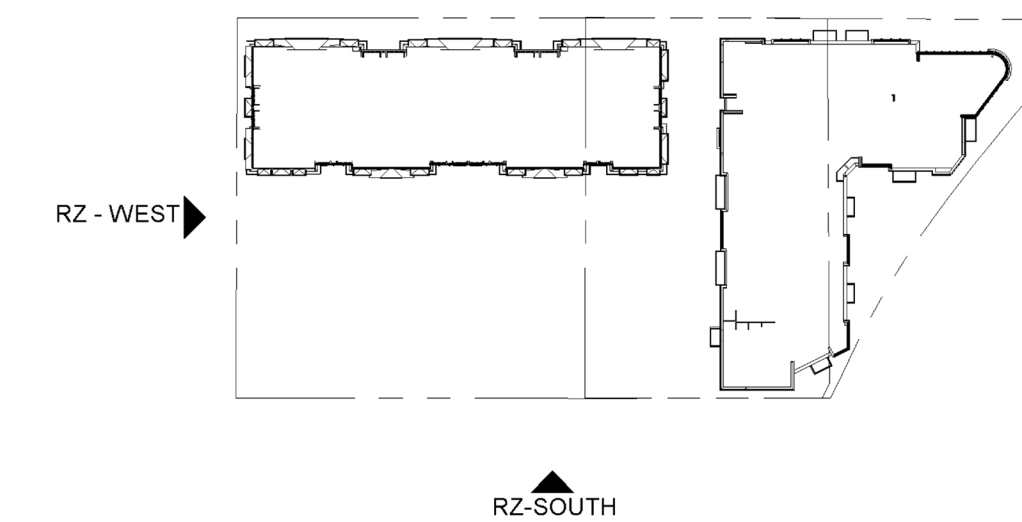
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SHEET

RZ 5

Scale



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MATERIAL LEGEND:	
1a.	BRICK 1a
1b.	BRICK 1b
2.	BRICK 2
3.	BRICK 3
4.	BRICK ACCENTS AND/OR BRICK BANDING
5.	CAST STONE ACCENT BANDS
6.	CAST STONE ACCENT DETAILS
7.	CORNICE AND DETAILING: DECORATIVE URETHANE MILLWORK, STUCCO, GLASS REINFORCED CONCRETE, GLASS REINFORCED POLYMER OR SYNTHETIC WOOD.
8.	METAL RAILING 1
9.	METAL RAILING 2
10.	COMPOSITE ROOF SHINGLE
11.	STOREFRONT SYSTEM
12.	AWNINGS
13.	SIGNAGE ZONE
14.	LOUVERS
15.	CANOPY
16.	PAINTED PREMIUM THICKNESS CEMENTITIOUS CLAP BOARD
17.	PAINTED CEMENTITIOUS SHAKES
18.	PAINTED CEMENTITIOUS TRIM
19.	SYNTHETIC WOOD RAILING



1 RZ-North Elevation
1/32" = 1'-0"

GENERAL NOTES:
THESE CONCEPTUAL ELEVATIONS ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL LOOK OF THE BUILDING FACADE. CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY AFFECT THE OVERALL CONCEPTUAL LOOK SHALL BE PERMITTED BASED UPON FINAL DESIGN AND CONSTRUCTION DRAWINGS.

Faison

E 7th St @
N Caswell Rd

Consultant
Address
Address
Address
Phone

No.	Description	Date
1	RZ Revision 1	2/19/16
2	RZ Revision 2	3/24/16
3	RZ Revision 3	4/18/16
4	RZ Revision 4	5/19/16
5	RZ Revision 5	5/23/16
6	RZ Revision 6	6/23/16

bhm
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Project Number
Date 02/19/16

Enlarged
Elevations

SHEET
RZ 7
Scale